

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MISSOURI
Eastern Division**

In re:

VALERIE L. COX

Debtor,

CREDIT ACCEPTANCE CORPORATION

Creditor.

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)
) Case No. 19-40596-399
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)
)
) Chapter 13
)
)
) DOCKET NO. _____
)

OBJECTION TO CONFIRMATION OF PLAN

COMES NOW Credit Acceptance Corporation, its subsidiaries, affiliates, predecessors in interest, successors, and assigns ("Creditor"), by and through its attorneys Melinda J. Maune, Amy T. Ryan and Martin Leigh PC, and for its Objection to Confirmation of Plan states as follows:

1. On or about January 6, 2018, Valerie Cox ("Debtor") executed and delivered to Frank Leta Automotive Outlet Inc., a Retail Installment Contract ("Contract") in the original amount financed of \$12,881.50. The Contract was assigned to Creditor.

2. The Contract is secured by a properly perfected lien on the following vehicle:

2009 BMW VIN:WBANW13539C163641 ("Collateral")

3. Debtor filed for relief under Chapter 13 of the United States Bankruptcy Code on February 1, 2019. On February 5, 2019, Creditor filed its fully secured Proof of Claim in the amount of \$11,085.27.

6. The proposed Chapter 13 Plan does not adequately protect Creditor in that it will not receive 1.5% of its secured claim each month as required by this Court's local rules.

Upon information and belief, the entirety of the plan payment will be disbursed to Trustee fees, attorney fees and to continuing debt payments stated in the proposed Chapter 13 Plan.

7. The proposed Chapter 13 plan payment is not sufficient to provide adequate protection to Creditor in a manner consistent with this Court's local rules as the continuing debt payment exceeds the proposed monthly plan payment to the Trustee.

WHEREFORE, based on the foregoing, Creditor respectfully requests the Court to enter an Order Denying Confirmation and for such other and further relief as the Court deems just and proper under the premises.

Respectfully submitted,

MARTIN LEIGH PC

/s/Melinda J. Maune

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ATTORNEYS FOR CREDITOR

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was filed electronically on the 27th day of February, 2019, with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List.

I certify that a true and correct copy of the foregoing document was filed electronically with the United States Bankruptcy Court, and has been served by Regular United States Mail Service, first class, postage fully pre-paid, addressed to the parties listed below on the 27th day of February 27, 2019:

Valerie L. Cox
512 West Ave.
Centreville, IL 62207-2435

/s/ Melinda J. Maune
Melinda J. Maune, Attorney for Creditor